

REMARKS

Claims 1-13 are pending in this application.

Applicant wishes to thank the Examiner for the courtesy extended in the telephone interview on Monday March 8, 2005.

Rejection of Claims 6-8 under 35 USC § 112

Claims 6-8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out the distinctly claim the subject matter which applicant regards as the invention. Claim 6 has been amended in accordance with the comments of the Examiner. In view of the amendment to Claim 6, it is respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 1-2, 4-5 and 6-8 under 35 USC § 102(e)

Claims 1-2, 4-5 and 6-8 are rejected under 35 U.S.C. 103(a) as being anticipated by Gauthier et al. (U.S. Patent Application No. 2002/0036662).

The present invention recites a method in a computer system for presenting, under the control of a user, a display of information. The method includes receiving instructions from the user to select a tabular format. In response to receiving instructions from the user to select the tabular format, a menu of data selections are displayed. Each data selection provides a respective one of a plurality of user selectable cell arrangement, for display in tabular format. The dimensions of a selected cell within a selected cell arrangement are adjusted to permit display of a data selection within the selected cell. Independent Claims 1, 6, and 9 each include similar limitations to those discussed above. Independent claims 1, 6, and 9 have been formally amended to clarify that each respective data selection and table have a plurality of cells in a respective one of a plurality of cell arrangements.

Gauthier et al. disclose a method for allowing a user to “graphically create a refreshable Web Query by selecting tabular data displayed in a Web page.” However, Gauthier et al. neither disclose nor suggest “displaying to the user a menu of data selections an individual data selection providing a respective one of a plurality of user selectable cell arrangements, for display in a tabular format,” as in the present claimed invention. The Examiner asserts that Gauthier et al., in Figure 5 and the corresponding text, shows such a feature. Contrary to the assertion of the Examiner, Figure 5 and the corresponding text discloses “the results of creating a refreshable Web Query in a MICROSOFT EXCEL 2002 worksheet” see page 8, paragraph [0074], lines 3-4. This Figure shows a MICROSOFT EXCEL 2002 window 300 as well as an External Data Menu box 504. The External Data Menu box 504, as described in column 8, paragraph [0074] contains “an Edit Query button 506, a ‘Data Range Properties’ button 508, a ‘Query Parameters’ button 510, a ‘Refresh Data’ button 512, a ‘Cancel Refresh’ button 514, a ‘Refresh All’ button 516, and a ‘Refresh Status’ button 518.” However, neither the MICROSOFT EXCEL 2002 window 300 nor the Data Menu box 504 in Gauthier et al. disclose or suggest “a menu of data selections, an individual data selection providing a respective one of a plurality of user selectable cell arrangement, for display in tabular format,” as in the present claimed invention.

Furthermore, contrary to the assertions in the Office Action, Figure 3 of Gauthier et al. neither disclose nor suggest “adjusting dimensions of a selected cell within a selected cell arrangement to permit display of a data selection,” as in the present claimed invention. In Figure 3, Gauthier et al. show “an illustration of the window 300 showing a typical screen display in a MICROSOFT EXCEL 2002 spreadsheet program when the user has selected the option to import external data into a MICROSOFT EXCEL 2002 worksheet.” Gauthier et al., in Figure 3, merely illustrate generation of a new web query dialog box 320 for displaying the contents of a web page. The new web query dialog box 320 as described in column 7, paragraph [0071] contains “a standard address bar 325 that contains the URL associated with a Web page and a viewing area 330 that displays the contents of the Web page.” Gauthier et al. is only concerned with importing tabular data from a web page into a spreadsheet. Such importing of tabular

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data from a web page into a spreadsheet neither discloses nor suggests “adjusting dimensions of a selected cell within a selected cell arrangement to permit display of a data selection,” as in the present claimed invention.

As claims 2, 4, and 5 are dependent on claim 1 it is respectfully submitted that these claims are also not anticipated by Gauthier et al.

With regards to claim 6, Applicant respectfully disagrees with Examiner’s assertion that “Gauthier teaches...displaying an image set of predefined tables each having a plurality of cells in a respective one of a plurality of user selectable cell arrangements,” based on the idea that “each sheet in excel has a predefined table with plurality of cells with a standard arrangement.” As admitted by the Examiner, MICROSOFT EXCEL has a standard arrangement of cells in columns and rows oriented in a grid pattern. Figure 5 and MICROSOFT EXCEL neither disclose nor suggest “predefined tables each having a plurality of cells in a respective one of a plurality of user selectable cell arrangements” for the display of an image as in the present claimed invention. The tables shown in Figure 17 of the present claimed invention have a predetermined arrangement for the data, the likes of which are neither disclosed nor suggested by Gauthier et al. Despite the fact that MICROSOFT EXCEL can display a table, the table displayed in MICROSOFT EXCEL is of a standard arrangement of cells as opposed to the present claimed invention in which “each of said predefined tables having a plurality of cells in a respective one of a plurality of user selectable cell arrangements” is displayed.

In view of the above remarks and amendments to the claims it is respectfully submitted that there is no 35 USC 112 compliant enabling disclosure in Gauthier et al. showing the above discussed features of Claim 1.

In view of the above remarks and amendments to claims 1 and 6, it is respectfully submitted that independent claims 1 and 6 are not anticipated by Gauthier et al. As claims 2, 4, and 5 are dependent on claim 1 and claims 7 and 8 are dependent on claim 6, it is respectfully submitted that these claims are also not anticipated by Gauthier et al.

It is further respectfully submitted that this rejection is satisfied and should be withdrawn.

Rejection of Claims 3 and 9-13 under 35 USC § 103(a)

Claims 3 and 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gauthier et al., (U.S. Application No. 2002/0036662) and in further view of Smith et al. (U.S. Patent No. 6,188,407).

Smith et al. disclose a reconfigurable user interface for a modular patient monitor. The interface recognizes when new parameters are added or removed, automatically reconfigures the display and updates the menu selection options. However, similarly to Gauthier et al., Smith et al. neither disclose nor suggest “displaying to the user a menu of data selections, an individual data selection providing a respective one of a plurality of user selectable cell arrangement, for display in tabular format” as claimed in claim 1 of the present invention. Smith et al. are concerned with automatically reconfiguring a display upon addition or removal of data. This is unlike the present claimed invention which is concerned with generation of a display having a user selectable cell arrangement. Additionally, contrary to the assertions of the Examiner, Smith et al. neither disclose nor suggest “simultaneously displaying the first waveform superimposed upon the second waveform within the first cell” as claimed in claim 3 of the present invention. Rather, all that is shown in Figure 2 of Smith et al. is separate waves in a waveform field 24.

With regard to claim 9 of the present claimed invention, contrary to the assertions of the Examiner, Gauthier et al. neither disclose nor suggest “selecting a table from a menu of tables, each table in said menu including multiple cells in a respective one of a plurality of user selectable cell arrangements; displaying the selected table having multiple cells; manipulating a manual pointing device to select a first cell within the table; inserting the first data stream into the first cell.” Rather, all that Figure 12 and the corresponding text of Gauthier et al. disclose is “an illustration of a screen display in the MICROSOFT EXCEL 2002 spreadsheet program illustrating the

result of a user invoking the Paste Recovery Smart Tag 1125.” This Figure shows a screen display illustrating the employment of the Paste Recovery Smart Tag 1125 and the Paste-Recovery Smart Tag drop-down menu 1200. Neither the Paste Recovery Smart Tag 1125 nor the Paste-Recovery Smart Tag drop-down menu 1200 disclose or suggest “selecting a table from a menu of tables, each table in said menu including multiple cells in a respective one of a plurality of user selectable cell arrangements; displaying the selected table having multiple cells; manipulating a manual pointing device to select a first cell within the table; inserting the first data stream into the first cell,” as in the present claimed invention.

Additionally, contrary to the assertions of the Examiner, Smith et al. neither disclose nor suggest “obtaining at least a first and second stream of real time medical data” as claimed in claim 9 of the present claimed invention. Rather, all that is shown in Figure 2, ref. 24 and the corresponding text of Smith et al. is a display screen including an illustration of the menu field, flash box, alarms message field, waveform field, vital signs field, and help line.

Furthermore, there is no motivation or reason for combining Gauthier et al. with Smith et al. Gauthier et al. is concerned with creating refreshable web queries from tabular data displayed on a web page while Smith et al. is concerned with automatically updating a previously generated display upon addition and deletion of data. Neither Gauthier et al. nor Smith et al. are concerned with “displaying to the user a menu of data selections, an individual data selection providing a respective one of a plurality of user selectable cell arrangement for display in tabular format” as in the present claimed invention. Thus, neither Gauthier et al. nor Smith et al. provide for generation of a display formed by a desired arrangement of cells, each cell being size adjustable.

Even if Gauthier et al. and Smith et al. were to be combined, they would not produce a method of “designing under the control of a user a display of information, comprising...displaying to the user a menu of data selections, each data selection providing a cell arrangement for display in tabular format; and...adjusting dimensions of a selected cell within a selected one of the cell arrangements to permit display of a

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data selection” as in the present claimed invention. A combination of Gauthier et al.
and Smith et al. would produce a method for automatically refreshing web queries
when tabular data was added or deleted from the web page where the data was imported
from. Furthermore, this combination also would not provide for “simultaneously
displaying the first waveform superimposed upon the second waveform within the first
cell” as claimed in claim 3 of the present invention.

In view of the above remarks and amendments to the claims it is respectfully
submitted that there is no 35 USC 112 compliant enabling disclosure in Gauthier et al.
or Smith et al. showing the above discussed features. It is thus further respectfully
submitted that independent claim 1 is patentable over Gauthier et al. and Smith et al.
when taken alone or in combination. As claim 3 is dependent on claim 1, it is
respectfully submitted that this claim is also patentable over Gauthier et al. and Smith et
al. It is also further respectfully submitted that independent claim 9 is a method claim
patentable over Gauthier et al. and Smith et al. when taken alone or in combination. As
claims 10-13 are dependent on claim 9 it is respectfully submitted that these claims are
also allowable. It is thus, further respectfully submitted that this rejection is satisfied
and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of
the preceding amendments and remarks, this application stands in condition for
allowance. Accordingly then, reconsideration and allowance are respectfully solicited.
If, however, the Examiner is of the opinion that such action cannot be taken, the
Examiner is invited to contact the applicant's attorney at the phone number below, so
that a mutually convenient date and time for a telephonic interview may be scheduled.

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No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 50-2828.

Respectfully submitted,
William Buresh et al.

By: 

Jack Schwartz
Reg. No. 34,721

Jack Schwartz & Associates
1350 Broadway
Suite 1510
New York, New York 10018
Tel. No. (212) 971-0416
Fax No. (212) 971-0417
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